

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE: \_\_\_\_\_ ) CASE NO: **10-44189**  
**William S. Wilson** )  
**Dorothy A. Wilson** ) Chapter 13  
SSN(s): xxx-xx-9941, xxx-xx-2533 )  
3212 Woodmoor Dr. )  
Plano, TX 75093 )  
) \_\_\_\_\_  
) \_\_\_\_\_  
) \_\_\_\_\_  
) \_\_\_\_\_  
) \_\_\_\_\_  
) Debtor \_\_\_\_\_

**You should read this Plan carefully and discuss it with your attorney. Confirmation of this Plan by the Bankruptcy Court may modify your rights by providing for payment of less than the full amount of your claim, by setting the value of the collateral securing your claim, and/or by setting the interest rate on your claim.**

**CHAPTER 13 PLAN**

Debtor or Debtors (hereinafter called "Debtor") proposes this Chapter 13 Plan:

1. **Submission of Income.** Debtor submits to the supervision and control of the Chapter 13 Trustee ("Trustee") all or such portion of future earnings or other future income of Debtor as is necessary for the execution of this Plan.
2. **Plan Payments and Length of Plan.** Debtor will pay the sum of **\$1,545.00** per **month** to Trustee by  Payroll Deduction(s) or by  Direct Payment(s) for the period of **60** months, unless all allowed claims in every class, other than long-term claims, are paid in full in a shorter period of time. The term of this Plan shall not exceed sixty (60) months. See 11 U.S.C. §§ 1325(b)(1)(B) and 1325(b)(4). Each pre-confirmation plan payment shall be reduced by any pre-confirmation adequate protection payment(s) made pursuant to Plan paragraph 6(A)(i) and § 1326(a)(1)(C).

The following alternative provision will apply if selected:

Variable Plan Payments

Beginning Month	Ending Month	Amount of Monthly Payment	Total
<b>1 (01/06/2011)</b>	<b>60 (12/06/2015)</b>	<b>\$1,545.00</b>	<b>\$92,700.00</b>
		Grand Total:	<b>\$92,700.00</b>

3. **Payment of Claims.** The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief. Allowed claims shall be paid to the holders thereof in accordance with the terms thereof. From the monthly payments described above, the Chapter 13 Trustee shall pay the following allowed claims in the manner and amounts specified. Claims filed by a creditor designated as secured or priority but which are found by the Court to be otherwise shall be treated as set forth in the Trustee's Recommendation Concerning Claims.

4. **Administrative Claims.** Trustee will pay in full allowed administrative claims and expenses pursuant to § 507(a)(2) as set forth below, unless the holder of such claim or expense has agreed to a different treatment of its claim.

(A). **Trustee's Fees.** Trustee shall receive a fee for each disbursement, the percentage of which is fixed by the United States Trustee.

(B). **Debtor's Attorney's Fees.** The total attorney fee as of the date of filing of the petition is **\$3,500.00**. The amount of **\$1,000.00** was paid prior to the filing of the case. The balance of **\$2,500.00** will be paid  from first funds upon confirmation, or in the alternative  from the remaining balance of funds available after specified monthly payments. The total attorney fees are subject to reduction by notice provided in the Trustee's Recommendation Concerning Claims to an amount consistent with LBR 2016(h) absent a certification from debtors attorney regarding legal services provided pertaining to automatic stay litigation occurring in the case.

5. Priority Claims.

(A). Domestic Support Obligations.

None. If none, skip to Plan paragraph 5(B).

- (i). Debtor is required to pay all post-petition domestic support obligations directly to the holder of the claim.  
(ii). The name(s) and address(es) of the holder of any domestic support obligation are as follows. See 11 U.S.C. §§ 101(14A) and 1302(b)(6).  
(iii). Anticipated Domestic Support Obligation Arrearage Claims

(a). Unless otherwise specified in this Plan, priority claims under 11 U.S.C. § 507(a)(1) will be paid in full pursuant to 11 U.S.C. § 1322(a)(2). These claims will be paid at the same time as claims secured by personal property, arrearage claims secured by real property, and arrearage claims for assumed leases or executory contracts.

None; or

(a) Creditor (Name and Address)	(b) Estimated arrearage claim	(c) Projected monthly arrearage payment

(b). Pursuant to §§ 507(a)(1)(B) and 1322(a)(4), the following domestic support obligation claims are assigned to, owed to, or recoverable by a governmental unit.

None; or

Claimant and proposed treatment:

(a) Claimant	(b) Proposed Treatment

(B). Other Priority Claims (e.g., tax claims). These priority claims will be paid in full, but will not be funded until after all secured claims, lease arrearage claims, and domestic support claims are paid in full.

(a) Creditor	(b) Estimated claim

6. Secured Claims.

(A). Claims Secured by Personal Property Which Debtor Intends to Retain.

- (i). **Pre-confirmation adequate protection payments.** Unless the Court orders otherwise, no later than 30 days after the date of the filing of this plan or the order for relief, whichever is earlier, the Debtor shall make the following adequate protection payments to creditors pursuant to § 1326(a)(1)(C). If the Debtor elects to make such adequate protection payments on allowed claims to the Trustee pending confirmation of the plan, the creditor shall have an administrative lien on such payment(s), subject to objection. If Debtor elects to make such adequate protection payments directly to the creditor, Debtor shall provide evidence of such payment to the Trustee, including the amount and date of the payment, as confirmation is prohibited without said proof.

Debtor shall make the following adequate protection payments:

- directly to the creditor; or
- to the Trustee pending confirmation of the plan.

(a) Creditor	(b) Collateral	(c) Adequate protection payment amount
-----------------	-------------------	--

(ii). **Post confirmation payments.** Post-confirmation payments to creditors holding claims secured by personal property shall be paid as set forth in subparagraphs (a) and (b). If Debtor elects to propose a different method of payment, such provision is set forth in subparagraph (c).

(a). **Claims to Which § 506 Valuation is NOT Applicable.** Claims listed in this subsection consist of debts secured by a purchase money security interest in a vehicle for which the debt was incurred within 910 days of filing the bankruptcy petition, or, if the collateral for the debt is any other thing of value, the debt was incurred within 1 year of filing. See § 1325(a)(5). After confirmation of the plan, the Trustee will pay to the holder of each allowed secured claim the monthly payment in column (f) based upon the amount of the claim in column (d) with interest at the rate stated in column (e). Upon confirmation of the plan, the interest rate shown below or as modified will be binding unless a timely written objection to confirmation is filed and sustained by the Court. Payments distributed by the Trustee are subject to the availability of funds.

None; or

(a) Creditor; and (b) Collateral	(c) Purchase date	(d) Estimated Claim	(e) Interest rate	(f) Monthly payment
---	-------------------------	---------------------------	-------------------------	---------------------------

(b). **Claims to Which § 506 Valuation is Applicable.** Claims listed in this subsection consist of any claims secured by personal property not described in Plan paragraph 6(A)(ii)(a). After confirmation of the plan, the Trustee will pay to the holder of each allowed secured claim the monthly payment in column (f) based upon the replacement value as stated in column (d) or the amount of the claim, whichever is less, with interest at the rate stated in column (e). The portion of any allowed claim that exceeds the value indicated below will be treated as an unsecured claim. Upon confirmation of the plan, the valuation and interest rate shown below or as modified will be binding unless a timely written objection to confirmation is filed and sustained by the Court. Payments distributed by the Trustee are subject to the availability of funds.

None; or

(a) Creditor; and (b) Collateral	(c) Purchase date	(d) Replacement value	(e) Interest rate	(f) Monthly payment
---	-------------------------	-----------------------------	-------------------------	---------------------------

(B). **Claims Secured by Real Property Which Debtor Intends to Retain.** Debtor will make all post-petition mortgage payments directly to each mortgage creditor as those payments ordinarily come due. These regular monthly mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter, unless this Plan provides otherwise. Trustee may pay each allowed arrearage claim at the monthly rate indicated below until paid in full. Trustee will pay interest on the mortgage arrearage if the creditor requests interest, unless an objection to the claim is filed and an order is entered disallowing the requested interest.

(a) Creditor; and (b) Property description	(c) Estimated pre-petition arrearage	(d) Interest rate	(e) Projected monthly arrearage payment
Collin County Tax 3212 Woodmoor Dr., Plano, TX 75093	\$6,987.00	12.00%	\$159.26 Avg. Month(s) 2-60
Homecomings Financial 3212 Woodmoor Dr., Plano, TX 75093	\$54,880.00	0.00%	\$930.17 Avg. Month(s) 2-60
Retax Funding 3212 Woodmoor Dr., Plano, TX 75093	\$5,797.00	15.00%	\$141.61 Avg. Month(s) 2-60
Retax Funding 3212 Woodmoor Dr., Plano, TX 75093	\$5,318.00	14.80%	\$129.32 Avg. Month(s) 2-60

**(C). Surrender of Collateral.** Debtor will surrender the following collateral no later than thirty (30) days from the filing of the petition unless specified otherwise in the Plan. Any involuntary repossession/foreclosure prior to confirmation of this Plan must be obtained by a filed motion and Court order, unless the automatic stay no longer applies under § 362(c). Upon Plan confirmation, the automatic stay will be deemed lifted for the collateral identified below for surrender and the creditor need not file a Motion to Lift Stay in order to repossess, foreclose upon or sell the collateral. Nothing herein is intended to lift any applicable co-Debtor stay, or to abrogate Debtor's state law contract rights.

(a) Creditor	(b) Collateral to be surrendered

**(D). Void Lien:** The secured creditors listed below hold a non-purchase money, non-possessory security interest on Debtor's exempt property. Their lien will be voided pursuant to 11 U.S.C. § 522(f) and their claim treated as unsecured and paid pursuant to paragraph 7 below:

Name of Creditor	Collateral Description	Estimated Claim
Citifinancial	Household Goods	\$5,848.00

**7. Unsecured Claims.** Debtor estimates that the total general unsecured debt not separately classified in Plan paragraph 12 is \$76,314.00. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$669.20. Trustee is authorized to increase this dollar amount if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.

**8. Executory Contracts and Unexpired Leases.** All executory contracts and unexpired leases are assumed, unless rejected herein. Payments due after the filing of the case will be paid directly by Debtor (c) or through the plan by the Trustee (d), as set forth below.

Debtor proposes to cure any default by paying the arrearage on the assumed leases or unexpired contracts in the amounts projected in column (e) at the same time that payments are made to secured creditors. All other executory contracts and unexpired leases of personal property are rejected upon conclusion of the confirmation hearing.

None; or

Case No: 10-44189  
Debtor(s): **William S. Wilson**  
**Dorothy A. Wilson**

(a) Creditor; and (b) Nature of lease or executory contract	(c) Payment to be paid directly by Debtor	(d) Payment to be paid through plan by Trustee	(e) Projected arrearage monthly payment through plan (for informational purposes)

9. **Property of the Estate.** Upon confirmation of this plan, title of the property of the estate shall vest in DEBTOR(S), unless the Court orders otherwise.

10. **Post-petition claims.** The DEBTOR(S) will not incur any post-petition consumer debt except upon written approval of the Court or the Standing Chapter 13 Trustee. Post-petition claims will be allowed only as specified in 11 U.S.C. § 1305.

11. **General Provisions.** Post-Petition earnings during the pendency of this case shall remain property of the estate notwithstanding section 1327. Any remaining funds held by the Trustee after dismissal or conversion of a confirmed plan may be distributed to creditors pursuant to these provisions. Notwithstanding section 1329(a), the Trustee may bring a motion anytime within the applicable commitment period of the Plan to modify debtor's Plan to meet the criteria of section 1325(b). Any funds sent to the debtor(s) in care of the Trustee, during the pendency of this case may be deposited to the debtor's account and disbursed to creditors holding allowed claims pursuant to this Plan, the Confirmation Order, and/or as set forth in the Trustee's Recommendation Concerning Claims.

12. **Other Provisions:**

(A). **Special classes of unsecured claims.**

Name of Unsecured Creditor	Remarks

(B). **Other direct payments to creditors.**

Name of Creditor	Remarks

**Credit Union of Texas**  
**Homecomings Financial**

(C). **Additional provisions.**

Notwithstanding any provision herein to the contrary, the deadline for the Trustee to file the Trustee's Recommendation Concerning Claims, as well as the deadline for filing objections to the Trustee's Recommendation Concerning Claims and objections to claims shall be governed by Local Bankruptcy Rule 3015(g).

Special Note: This plan is intended as an exact copy of the recommended form prepared by the Standing Chapter 13 Trustees for this District, except as to any added paragraphs after paragraph 11 above. The Chapter 13 trustee shall be held harmless for any changes in this plan from the recommended form dated July 1, 2005.

Date: December 6, 2010

/s/ William S. Wilson

William S. Wilson, Debtor

/s/ Robert E. Barron  
Robert E. Barron, Debtor's Attorney

/s/ Dorothy A. Wilson  
Dorothy A. Wilson, Debtor

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: William S. Wilson  
*Debtor*

CASE NO. 10-44189

Dorothy A. Wilson  
*Joint Debtor*

CHAPTER 13

**CERTIFICATE OF SERVICE**

---

I, the undersigned, hereby certify that on December 6, 2010, a copy of the attached Chapter 13 Plan, with any attachments, was served on each party in interest listed below, by placing each copy in an envelope properly addressed, postage fully prepaid in compliance with Local Rule 9013 (g).

/s/ Robert E. Barron

Robert E. Barron  
Bar ID:01820800  
BARRON AND BARRON, L.L.P.  
P.O 1347  
Nederland, Texas 77627  
(409) 727-0073

Aspire  
xxxx-xxxx-xxxx-9571  
P.O. Box 84078  
Columbus, GA 319084078

Citifinancial  
1310 Campbell Rd., Ste. 118  
Richardson, TX 75080

Credit Union of Texas  
POB 517028  
Dallas, TX 75251

Baylor  
000132036  
PO Box 847093  
Dallas, TX 75284

Collin County Tax  
POB 8046  
Mc Kinney, TX 75070

Direct Rewards  
xxxxxxxxxxxx2869  
P.O. Box 60136  
City of Industry, CA 91716

Baylor Regional Medical  
100193042  
POB 740847  
Dallas, TX 75374

Cortrust Bank  
xxxx-xxxx-xxxx-3195  
POB 5431  
Sioux Falls, SD 57117

GE Money Bank  
xxxxxxxxxxxx7848  
POB 981127  
El Paso, TX 79998

Capital One Master Card  
xxxx-xxxx-xxxx-7825  
P.O. Box 60599  
City of Industry, CA 91716-0599

Credit One  
xxxx-xxxx-xxxx-5603  
P.O. Box 98875  
Las Vegas, NV 89193

GE Money Bank  
c/o Recovery Management Systems  
Corp  
25 SE 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: William S. Wilson  
*Debtor*

CASE NO. 10-44189

Dorothy A. Wilson  
*Joint Debtor*

CHAPTER 13

**CERTIFICATE OF SERVICE**  
(Continuation Sheet #1)

Heart Place 463034 P.O. Box 842464 Dallas, TX 75284-2464	HSBC xxxx-xxxx-xxxx-0315 POB 60102 City of Industry, CA 91716	Kim E. Moses Wright Gisberg Bursilow P.C. 325 North St. Paul Street, Suite 4150 Dallas, TX 75201
Helzberg Diamonds xxxxxxxxxxxx3895 P.O. Box 60107 City of Industry, CA 91716	Internal Revenue Service POB 21126 Philadelphia, PA 19114	Kohl's xxxxxxxx6602 N56 W17000 Ridgewood Dr. Menomonee Falls, WI 53051
HFC xxxxxxxxxxx1809 P.O. Box 4153-K Carol Stream, IL 60197-4153	IRS P.O. Box 21126 Philadelphia, PA 19144	Legacy xxxx-xxxx-xxxx-5629 POB 5097 Sioux Falls, SD 57117
Home Depot xxxxxxxxxxxx8213 POB 6028 The Lakes, NV 88901	Janna L. Countryman P.O. Box 941166 Plano, TX 75094-1166	Macy's xxxxxxxx4820 P.O. Box 689195 Des Moines, IA 50368
Homecomings Financial P.O. Box 205 Waterloo, IA 50704-0205	JC Penney xxxxxxx6991 P.O. Box 960090 Orlando, FL 32896-0090	McKinney Investment x4658 1407 W. University Dr. Mc Kinney, TX 75069
Homecomings Financial P.O. Box 205 Waterloo, IA 50704-0205	Juniper Bank xxxxxxxxxxxx7889 POB 13337 Philadelphia, PA 19101	Orchard Bank xxxx-xxxx-xxxx-5425 P.O. Box 60102 City of Industry, CA 91716-0102

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: William S. Wilson  
*Debtor*

CASE NO. 10-44189

Dorothy A. Wilson  
*Joint Debtor*

CHAPTER 13

**CERTIFICATE OF SERVICE**  
(Continuation Sheet #2)

Pite Duncan, L.L.P.  
c/o Tracy D. Mabry, Esq.  
4375 Jutland Drive, Suite 200  
San Diego, CA 92117

U.S. Attorney General  
Main Justice Building  
10th and Constitution Ave NW  
Washington, DC 20530-0001

Plano Emergency Physicians  
AYR0001320369  
P.O. Box 42914  
Philadelphia, PA 19101-2914

United States Attorney's Office  
110 North College Ave., Ste 700  
Tyler, Texas 75702-0204

Retax Funding  
14785 Preston Rd. #495  
Dallas, TX 75254

Visa  
xxxx-xxxx-xxxx-8728  
P.O. Box 60599  
City of Industry, CA 91716-0599

Retax Funding  
14785 Preston Rd. #495  
Dallas, TX 75254

William S. Wilson  
3212 Woodmoor Dr.  
Plano, TX 75093

Sears  
xxxxxxxxxxxx8190  
P.O. Box 6937  
The Lakes, NV 88901-6937

Target  
xxxx-xxxx-xxxx-7322  
POB 59317  
Minneapolis, MN 55459

Label Matrix for local noticing

0540-4

Case 10-44189

Eastern District of Texas

Sherman

Mon Dec 6 09:41:24 CST 2010

Barron & Barron, L.L.P.

P.O. Box 1347

Nederland, TX 77627-1347

Aspire

P.O. Box 84078

Columbus, GA 319084078

Robert E. Barron

P.O. Box 1347

Nederland, TX 77627-1347

Baylor

PO Box 847093

Dallas, TX 75284-7093

Baylor Regional Medical

POB 740847

Dallas, TX 75374-0847

Capital One Master Card

P.O. Box 60599

City of Industry, CA 91716-0599

Citifinancial

1310 Campbell Rd., Ste. 118

Richardson, TX 75080-2836

Collin County Tax

POB 8046

Mc Kinney, TX 75070-8046

Cortrust Bank

POB 5431

Sioux Falls, SD 57117-5431

Credit One

P.O. Box 98875

Las Vegas, NV 89193-8875

(p)CREDIT UNION OF TEXAS

P O BOX 515718

DALLAS TX 75251-5718

Direct Rewards

P.O. Box 60136

City of Industry, CA 91716-0136

GE Money Bank

POB 981127

El Paso, TX 79998-1127

GE Money Bank

c/o Recovery Management Systems Corp

25 SE 2nd Avenue, Suite 1120

Miami, FL 33131-1605

HFC

P.O. Box 4153-K

Carol Stream, IL 60197

HSBC

POB 60102

City of Industry, CA 91716-0102

Heart Place

P.O. Box 842464

Dallas, TX 75284-2464

Helzberg Diamonds

P.O. Box 60107

City of Industry, CA 91716-0107

Home Depot

POB 6028

The Lakes, NV 88901-6028

Homecomings Financial

P.O. Box 205

Waterloo, IA 50704-0205

(p)INTERNAL REVENUE SERVICE

CENTRALIZED INSOLVENCY OPERATIONS

PO BOX 21126

PHILADELPHIA PA 19114-0326

JC Penney

P.O. Box 960090

Orlando, FL 32896-0090

Juniper Bank

POB 13337

Philadelphia, PA 19101-3337

Kim E. Moses

Wright Gisberg Bursilow P.C.

325 North St. Paul Street, Suite 4150

Dallas, TX 75201-3861

Kohl's

N56 W17000 Ridgewood Dr.

Menomonee Falls, WI 53051-7096

Legacy

POB 5097

Sioux Falls, SD 57117-5097

Macy's

P.O. Box 689195

Des Moines, IA 50368-9195

McKinney Investment

1407 W. University Dr.

Mc Kinney, TX 75069-4839

Orchard Bank

P.O. Box 60102

City of Industry, CA 91716-0102

Pite Duncan, L.L.P.  
c/o Tracy D. Mabry, Esq.  
4375 Jutland Drive, Suite 200  
San Diego, CA 92117-3600

Plano Emergency Physicians  
P.O. Box 42914  
Philadelphia, PA 19101-2914

Retax Funding  
14785 Preston Rd. #495  
Dallas, TX 75254-6833

Sears  
P.O. Box 6937  
The Lakes, NV 88901-3637

Target  
POB 59317  
Minneapolis, MN 55459-0317

U.S. Attorney General  
Department of Justice  
Main Justice Building  
10th & Constitution Ave., NW  
Washington, DC 20530-0001

U.S. Attorney General  
Main Justice Building  
10th and Constitution Ave NW  
Washington, DC 20530-0001

US Trustee  
Office of the U.S. Trustee  
110 N. College Ave.  
Suite 300  
Tyler, TX 75702-7231

United States Attorney's Office  
110 North College Ave., Ste 700  
Tyler, Texas 75702-7237

Visa  
P.O. Box 60599  
City of Industry, CA 91716-0599

Dorothy A. Wilson  
3212 Woodmoor Dr.  
Plano, TX 75093-3281

William S. Wilson  
3212 Woodmoor Dr.  
Plano, TX 75093-3281

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Credit Union of Texas  
POB 517028  
Dallas, TX 75251

IRS  
P.O. Box 21126  
Philadelphia, PA 19144

(d)Internal Revenue Service  
POB 21126  
Philadelphia, PA 19114

End of Label Matrix  
Mailable recipients 41  
Bypassed recipients 0  
Total 41